

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Express Diagnostics Int'l, Inc.,

NO. C 06-01346 JW

Plaintiff,

**ORDER REQUIRING FURTHER JOINT
STATUS REPORT**

v.

Barry M. Tydings, et al.,

Defendants.

On June 11, 2009, Plaintiff filed a Notice of Automatic Stay Under 11 U.S.C. § 362, and a Proposed Order Recognizing Application of Automatic Stay. (hereafter, "Notice," Docket Item No. 345.) Although styled as a Notice, Plaintiff appears to be requesting the Court to stay this action as to all remaining Defendants pursuant to 11 U.S.C. § 362(a)(3). (Notice at 3-4.)

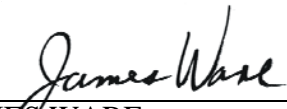
Since it is unclear from Plaintiff's Notice whether the remaining Defendants also seek to have this action stayed in its entirety, the Court ORDERS the parties to file a Joint Case Status Report on or before **June 26, 2009**. The parties' Report shall address the following:

- (1) The remaining Defendants and claims in this case by a way of a chart or charts;
- (2) Which remaining Defendants are subject to an automatic stay under 11 U.S.C. § 362(a);
- (3) Whether the Court should exercise its discretion to stay this case as to all remaining Defendants; and

(4) The parties' plan for proceeding with this litigation. If the parties disagree as to whether the Court should, in its discretion, stay this entire action, the parties shall also propose a briefing schedule on an anticipate motion to stay.

In light of this Order, the Court VACATES its June 12, 2009 Order requiring only Plaintiff to file a Status Report.

Dated: June 19, 2009



JAMES WARE
United States District Judge

THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:

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Dated: June 19, 2009

Richard W. Wieking, Clerk

By: /s/ JW Chambers
Elizabeth Garcia
Courtroom Deputy